



Security Council

Distr.
GENERAL

S/1997/675
4 September 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 29 AUGUST 1997 FROM THE PERMANENT REPRESENTATIVE
OF THE REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED
TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith decision 001/97, dated 19 July 1997, whereby the Constitutional Council of the Republic of the Congo, noting that it was impossible for the Government to organize the presidential elections scheduled for 27 July 1997, decided to postpone such elections and, accordingly, to extend the mandate of the current President of the Republic until the proclamation of a successor elected by universal suffrage, in accordance with the relevant provisions of the Constitution in force in the Republic of the Congo.

In view of the importance of this decision, I should be grateful if you would have it issued as a Security Council document.

(Signed) Daniel ABIBI

Annex

Decision 001/97 of the Constitutional Council of the
Republic of the Congo

The Constitutional Council,

Having before it a petition dated 16 July 1997 from the Prime Minister, which petition was filed on that day for the postponing of the presidential elections and, accordingly, for the extension of the mandate of the President until the proclamation of a successor,

Having regard to the Constitution of 15 March 1992, with specific reference to its articles 67, 68, 69 and 90,

Having regard to Act No. 17/94 of 1 August 1994 relating to the organization and functioning of the Constitutional Council,

Having heard the pleas of the Advocate of the State,

Having heard the Rapporteur;

I. IN RESPECT OF RECEIVABILITY AS TO FORM

Whereas the Constitution remains silent regarding the status of petitioners empowered to bring such a matter before the Constitutional Council,

Whereas, however, article 69, paragraph 3, of the Constitution gives the Government of the Republic the responsibility of "initiating the process of presidential elections",

Whereas it is therefore incumbent on the Government to organize such elections,

Whereas, in general, "the Government shall determine and conduct national policy", under article 89 of the Constitution,

Whereas, accordingly, the Prime Minister, as head of Government, with responsibility for directing and coordinating government action under article 90 of the Constitution has a definite interest in acting to have the presidential elections postponed,

Whereas he is thus justified in bringing before the Constitutional Council the question of the postponement of the date of the presidential elections and, subsequently, the question of the extension of the mandate of the current President,

Whereas, moreover, the petition filed by the Prime Minister comes within the general framework of petitions covered by articles 27 and 28 of the Act

/...

governing the Constitutional Council, articles which indicate who is empowered to refer matters to the Constitutional Council,

Whereas it is with good reason that the Prime Minister has brought the matter before the Constitutional Council;

II. IN RESPECT OF THE COMPETENCE OF THE CONSTITUTIONAL COUNCIL

Whereas the last paragraph of article 69 of the Constitution provides that "the Constitutional Council shall be competent to order an extension of the time limits for presidential elections set forth in paragraph 4 of this article";

III. IN RESPECT OF THE EXTENSION OF THE TIME LIMITS FOR PRESIDENTIAL ELECTIONS

Whereas article 69, paragraph 4, of the Constitution provides that "the election of the new President of the Republic shall take place at least 20 days before, but not more than 35 days before, the expiration of the mandate of the current President",

Whereas, pursuant to this constitutional provision, the President of the Republic, by Decree No. 97/234 of 7 June 1997, convened the Electoral Board with a view to the first round of the presidential elections scheduled for 27 July 1997, and established a pre-election Logistical Unit by Decree No. 97/232 of 7 July 1997,

Whereas the date of 27 July 1997 had been accepted by the Congolese political community as a whole, represented within the National Commission responsible for the special administrative census, and by the prospective candidates in the presidential elections, in a solemn commitment signed on 31 May 1997 under the auspices of the Director-General of UNESCO, Mr. Federico Mayor,

Whereas, however, the electoral process has been brutally interrupted by an internal armed conflict, which broke out on 5 June 1997 and is still continuing,

Whereas, under article 69 of the Constitution, the Constitutional Council, in the postponement of presidential elections in cases not covered by law and statute, is vested with powers of interpretation from which it derives broad discretionary authority,

Whereas these powers mean, inter alia, that the Constitutional Council enjoys full freedom to take into account any situation not envisaged in the Constitution that might prevent the organization of presidential elections,

Whereas the internal armed conflict, because of its scope and duration, has irreparably damaged prospects for the holding of elections on 27 July 1997, and thus constitutes a typical example of such a situation,

Whereas, accordingly, the elections should be postponed,

/...

Whereas, however, the Constitutional Council does not have the power to order a postponement of indefinite duration, since the last paragraph of article 69 of the Constitution reads as follows:

"The Constitutional Council may extend the time limits set forth in paragraph 4 of this article ... provided that the elections do not take place more than 90 days after the date of the decision of the Council",

Whereas, however, the outbreak of the internal armed conflict has interrupted the special administrative census and other pre-election operations,

Whereas, inter alia, it will take a relatively long period to assess how much time will be needed for proper resumption of work by the Electoral Board - whose members have been dispersed by the war - so that it might undertake a full preparation of the electoral rolls,

Whereas the lack of a peace agreement constitutes a constant threat to the electoral process,

Whereas, accordingly, the setting of a date for presidential elections depends largely on consideration of the aforementioned contingencies,

Whereas it is incumbent on the Government, in agreement with the political community as a whole, to set the period for presidential elections taking into account the schedule of the Logistical Unit and the holding of legislative elections in 1998;

IV. IN RESPECT OF THE EXTENSION OF THE MANDATE OF THE CURRENT PRESIDENT

Whereas the last paragraph of article 69 of the Constitution reads as follows:

"The Constitutional Council may extend the time limits set forth in paragraph 4 of this article ... If the application of this paragraph has the effect of delaying the election until a date subsequent to the expiration of the mandate of the current President, he shall remain in office until the proclamation of a successor",

Whereas the current President was elected in August 1992, and was sworn in and took office on 31 August 1992,

Whereas, under article 68, paragraph 1, of the Constitution, to the effect that "the President of the Republic shall be elected for five (5) years by direct universal suffrage", his mandate expires on 31 August 1997,

Whereas, as a result of the aforementioned developments, the presidential elections cannot take place by 31 August 1997,

Whereas, since the postponement of the presidential elections is inevitable, the provisions that come into play are those at the end of the last

/...

paragraph of article 69 of the Constitution, relating to the transfer of power between the current President and a successor elected by universal suffrage,

Whereas, contrary to the situation envisaged in article 70 of the Constitution concerning vacation of post or impediments, the conduct of presidential elections after the expiration of the mandate of the current President would in no way involve an interruption in presidential functions,

Whereas, therefore, the current President is to transfer power only to a President elected within the terms of article 68 of the Constitution,

Whereas the principle of continuity of the State set forth in article 67 of the Constitution will thus be upheld,

Whereas, accordingly, the President of the Republic shall remain in office until the proclamation of a successor by the Constitutional Council,

Whereas, as a result of this constitutional provision, the legitimacy of the President - the guarantor of the continuity of the State - as derived from his election by direct universal suffrage and, therefore, as derived from the sovereign people, shall in no way be diminished,

Whereas it follows that the President of the Republic remaining in office shall preserve all his constitutional prerogatives;

HEREBY DECIDES AS FOLLOWS:

Article 1

The aforementioned petition is declared receivable.

Article 2

The presidential elections shall be postponed until a date to be determined by the Government in agreement with the Congolese political community as a whole.

Article 3

Accordingly, the current President, the guarantor of the continuity of the State,

Shall remain in office until power is transferred to a successor elected by direct universal suffrage,

Shall preserve all his constitutional prerogatives.

/...

Article 4

This decision shall be published in the Official Gazette of the Republic.

Deliberated by the Constitutional Council at its meeting held on
19 July 1997 with the participation of:

Zacharie Samba, Vice-President of the Constitutional Council

Albertine Lipou-Massala, Jean Ganga-Zandzou, Alexis Bob Dia-Massamba,
Nestor Makoundzi-Wolo, Marcel Mabounda, Ambroise Hervé Malonga, Members of the
Constitutional Council

(Signed) Agathon NOTE
President of the Constitutional Council



Security Council

Distr.
GENERAL

S/1997/676
2 September 1997

ORIGINAL: ENGLISH

LETTER DATED 29 AUGUST 1997 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF ARMENIA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward to you herewith the facsimile transmitted letter dated 17 August 1997 addressed to you from His Excellency Mr. Leonard Petrossian, Acting President of Nagorno-Karabagh (see annex).

I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(Signed) Movses ABELIAN
Chargé d'affaires a.i.



Annex

Letter dated 17 August 1997 from the Acting President of the
Nagorno-Karabagh Republic addressed to the Secretary-General

During the past several years the Government of Azerbaijan has been actively disseminating false and fabricated information on Nagorno-Karabagh, and the consequences of the Nagorno-Karabagh armed conflict. The information provided by Azerbaijan on the occupied territories, refugees and displaced persons does not correspond to the existing realities.

We believe the unavailability of accurate and objective information to the mediators and the international community on the Nagorno-Karabagh conflict and its consequences lead to inaccurate decisions and conclusions.

The enclosed document, which is prepared on the basis of objective analysis and official sources, intends to set the record straight on a wide range of issues, and thus contribute to a better understanding of the prevailing situations, the facts about the conflict and the general environment surrounding the Nagorno-Karabagh conflict.

(Signed) Leonard PETROSSIAN
Acting President of the
Nagorno-Karabagh Republic

Appendix

Data on refugees, displaced persons and territories occupied during military actions in Nagorno-Karabagh and Azerbaijan

Nagorno-Karabagh

When reference is made to the occupied territories of Nagorno-Karabagh, to refugees and displaced persons in Nagorno-Karabagh, the authorities of the Nagorno-Karabagh Republic use the names "Nagorno-Karabagh Autonomous Region", "the Nagorno-Karabagh Republic" and "Nagorno-Karabagh". The Nagorno-Karabagh Autonomous Region comprises territories bound by the administrative borders of the former Nagorno-Karabagh Autonomous Region.

The Nagorno-Karabagh Republic does not encompass all of Armenian Karabagh in its geographic, historical and ethnic entirety. Rather, it consists of the former Nagorno-Karabagh Autonomous Region together with the Shaumian district to the north. On these very territories, according to the then effective Soviet legislation, particularly article 3 of the Law of the Union of Soviet Socialist Republics on the Procedure of Cessation from the Union of Soviet Socialist Republics of 3 April 1990, pursuant to the 2 September 1991 Declaration of the joint session of the Nagorno-Karabagh Autonomous Region and Shaumian District Soviets of the People's Deputies and on the basis of the popular referendum of 10 December 1991, the Nagorno-Karabagh Republic was proclaimed. The population of these very territories elected and established the current authorities of the Nagorno-Karabagh Republic. In the mandate of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group of March 1992 these are referred to as "elected and other representatives of Nagorno-Karabagh".

Armenian Nagorno-Karabagh as a whole covers a considerably larger area, including the northern part of Nagorno-Karabagh (the population of which was predominantly Armenian before 1988) and other regions (this can be well observed on map 1).

Refugees and displaced persons in Nagorno-Karabagh

The Armenian population of Nagorno-Karabagh reached 300,000-330,000 in 1918. Had conditions of normal development prevailed, the Armenian population of Nagorno-Karabagh would have reached 700,000-800,000 in 1988. As a result of the Turkish-Azeri aggression in 1918-1920 aimed at the total cleansing of the Armenians of Nagorno-Karabagh, 20 per cent of all Armenians were killed. In Shushi, which was one of the biggest towns of the Transcaucasus, 20,000 Armenians were massacred by Turkish-Azeri troops. In spite of this, Armenians made up 95 per cent of the population of the Nagorno-Karabagh Autonomous Region when it was created in 1923, and later renamed the Nagorno-Karabagh Autonomous Region in 1936. Azeris were only 3 per cent of the population of the Region. During the 70 years of the Soviet-Azeri rule, the Armenian population did not increase in absolute numbers either in Nagorno-Karabagh as a whole or in the Nagorno-Karabagh Autonomous Region because of discrimination and forced emigration of Armenians. Today, 600,000 descendants of the Armenians of Karabagh live in Armenia and other republics of the Commonwealth of Independent

/...

States. As a percentage of the entire Karabagh population, Armenians fell to 77 per cent. At the same time as the Armenian numbers decreased, an influx of Azeris increased their absolute number several times.

According to the official 1989 Union of Soviet Socialist Republics census, the Nagorno-Karabagh Autonomous Region had 189,000 inhabitants, of whom 145,500 (76.9 per cent) were Armenians and 40,600 (21.5 per cent) were Azeris. Another 17,000 Armenians (80 per cent of which population) and over 3,000 Azeris lived in the Shaumian district. The census, however, overlooked over 23,000 Armenian refugees from Baku, Sumgait and several other cities, who, when the census was being conducted in January 1989, actually lived in the former Nagorno-Karabagh Autonomous Region. These refugees however, had no Nagorno-Karabagh Autonomous Region "registration" (a stamp in the passports of all Soviet citizens indicating their place of residence) and hence were considered to be living in their former residences.

Thus, the total Armenian population of both the Nagorno-Karabagh Autonomous Region and the Shaumian district was 185,000; Azeris numbered 44,000 and Russians, Ukrainians, Greeks, Tatars and others about 3,500. Although the northern part of Nagorno-Karabagh was, together with the whole of Nagorno-Karabagh, given to Azerbaijan by the Russians in 1921, it was not included in the Nagorno-Karabagh Autonomous Region that was created in 1923. Neither was the Shaumian district included in the Nagorno-Karabagh Autonomous Region. The drawing of the borders of the autonomous region was entrusted by Moscow to the Azeris themselves. The borders of the northern territories of Nagorno-Karabagh, where Armenians lived in close, homogeneous settlements, were later redrawn several times and finally, as a result of the policy intended to turn the Armenian population from an overwhelming majority into a minority, these territories were divided and included in the newly created administrative districts of the Azerbaijani Soviet Socialist Republic, in the 1930s: Dashkesan, Shamkhor, Gedabek, and Khanlar. Nevertheless, in 1988 Armenians still constituted an absolute majority of the population of northern Karabagh (map 1) that included the mountainous parts and partly also the foothills of the mentioned districts of the Azerbaijani Soviet Socialist Republic.

In 1988 the following numbers of Armenians lived in this area:

Khanlar district	14 600
Dashkesan district	7 300
Shamkor district	12 400
Gedabek district	1 000
City of Gyanja	<u>48 100</u>
Total	<u>83 400</u>

The Armenian population of northern Karabagh alone was more than twice the Azeri population of the former Nagorno-Karabagh Autonomous Region. In the city

/...

of Gyanja alone there lived 7,000 more Armenians than there were Azeris in the whole of the former Nagorno-Karabagh Autonomous Region, or four times the number of Azeris living in the town of Shushi.

Thus, by the end of 1988, the entire Armenian population of Nagorno-Karabagh as a whole (the Nagorno-Karabagh Autonomous Region, the Shaumian district and northern Nagorno-Karabagh) was 268,000.

The Armenians of northern Nagorno-Karabagh were forcibly deported in 1988-1989. Deportations started in the autumn of 1988 and came to an end already after the beginning of the open armed phase of the conflict. The last Armenian settlements in the zone, Ghetashen and Martunashen, were ravaged in April-May 1991, as a result of the joint operation of the Ministry of Internal Affairs of Azerbaijan and internal troops of the Union of Soviet Socialist Republics. During this operation, called "Ring", 24 Armenian settlements in Nagorno-Karabagh were occupied by Azerbaijan and their entire populations were deported. Currently the overwhelming majority of the refugees from northern Nagorno-Karabagh lives in Armenia, some of them are in the Russian Federation and only a few are in the Nagorno-Karabagh Republic.

During the military actions in the summer and autumn of 1992 the Azerbaijani army completely took hold of the Shaumian district, about two thirds of the Mardakert district and parts of the Martuni, Askeran and Hadrut districts of the Nagorno-Karabagh Republic. As a result, 66,000 Armenians became refugees or displaced persons. After the liberation by the Defence Army of the Nagorno-Karabagh Republic of the greater part of the occupied territories (except for the Shaumian district and parts of the Mardakert and Martuni districts of Nagorno-Karabagh), 35,000 refugees returned to the Nagorno-Karabagh Republic. However either because their villages were completely destroyed or because they are still under Azeri occupation, most of these people should still be identified as displaced persons.

Thus, the total number of Armenian refugees from Nagorno-Karabagh is 114,000. Of these, 83,000 are from northern Nagorno-Karabagh and 31,000 are predominantly from the Shaumian and Mardakert districts of the Nagorno-Karabagh Republic.

There are about 30,000 displaced persons in the Nagorno-Karabagh Republic.

Of the total 185,000 Armenian population of the Nagorno-Karabagh Republic in 1991,* at present there are 61,000 refugees and displaced persons from the Nagorno-Karabagh Republic proper, thus comprising 33 per cent of the Armenian population of the Nagorno-Karabagh Republic (1991 figures). This means that one third of the Nagorno-Karabagh Republic population are refugees or displaced persons.

Together with the refugees of northern Nagorno-Karabagh (see above), the total number of refugees and displaced persons comes to 144,000, which is 54 per cent of the Armenian population of Nagorno-Karabagh as a whole (Nagorno-Karabagh Republic and northern Nagorno-Karabagh), according to 1988 figures.

Since 1988, every other Armenian of Karabagh, of those who lived at that time on their own historic lands, has become either a refugee or a displaced person. Most of the thousands of Armenians who had lived in Baku, Sumgait and several other towns and districts of Azerbaijan and became refugees as a result of the conflict^b descended from Karabagh. We deliberately limited ourselves to the geographic and demographic borders of Nagorno-Karabagh and do not speak here about this very large category of Armenian refugees, which may become a subject of discussion between Armenia and Azerbaijan.

The figures cited above demonstrate vividly that of the two parties to the conflict, i.e., Nagorno-Karabagh and Azerbaijan (see figures concerning Azerbaijan below), the first suffers incomparably more in terms of refugees and displaced persons. It should also be added that contrary to the fact that Azeri refugees receive humanitarian aid from international organizations, the Nagorno-Karabagh Republic receives practically no assistance from such organizations for its refugees and displaced persons. Thus, we actually deal with a situation where international organizations discriminate refugees on the basis of their nationality.

Occupied territories of the Nagorno-Karabagh Republic

By occupied territories of Nagorno-Karabagh the authorities of the Nagorno-Karabagh Republic mean the territories of the Nagorno-Karabagh Republic occupied by Azerbaijan. As already stated above, the Nagorno-Karabagh Republic does not cover the whole Armenian Karabagh in its geographic, historical and ethnic entirety, but only the territories of the former Nagorno-Karabagh Autonomous Region and the Shaumian district (see above), where the authorities of the Nagorno-Karabagh Republic had full power in the beginning of open military actions.

As a result of military actions between Azerbaijan and the Nagorno-Karabagh Republic, the Azeri troops occupied in 1992 and still hold about 750 square kilometres of the Nagorno-Karabagh Republic territory, which comprises 15 per cent of its area. These territories comprise the whole of the Shaumian district (600 square kilometres) and parts of the Mardakert and Martuni districts (map 2).

Azerbaijan

According to the propaganda of Azeri authorities and their official representatives, allegedly 20 per cent of the area of Azerbaijan is occupied at present and there exist more than 1 million refugees and displaced persons. It is said that this situation is a result of Armenia's aggression against Azerbaijan and the seizure by Armenia of both Nagorno-Karabagh and adjacent districts.

It should be mentioned that none of the Security Council resolutions concerning the Nagorno-Karabagh conflict contains any expression of "aggression" by Armenia or demands that its troops be withdrawn from the territory of Azerbaijan and Nagorno-Karabagh (see Security Council resolutions 822 (1993), 853 (1993), 874 (1993), 884 (1993)).

The issue of the occupied Azeri territories

According to the maps utilized by the representatives of the Azerbaijani Republic (map 3), the total area of the territories occupied by the Defence Army of the Nagorno-Karabagh Republic allegedly amounts to 8,780 square kilometres, the total area of the Azerbaijani Republic being 86,600 square kilometres. A simple arithmetic calculation shows that the area of the seven, adjacent to Nagorno-Karabagh districts of Azerbaijan make up only 10 per cent of the Republic's territory. Even if we were to consider that the Nagorno-Karabagh Republic proper is itself an "occupied territory", as it is officially claimed by the leaders of Azerbaijan, the area will make only 13 per cent and not 20 per cent.^c

As has already been mentioned, nothing has ever been said in any place in any of the documents of the United Nations or OSCE about "Armenia's occupation of the territories of Azerbaijan". That is only the result of the falsification efforts of the Azeri propaganda. As Nagorno-Karabagh cannot possibly occupy itself, then territories of the Nagorno-Karabagh Republic over which the Nagorno-Karabagh Republic authorities have control (about 4,300 square kilometres) cannot principally, under any circumstances, be considered as "occupied territories of the Azerbaijani Republic".

It should particularly be mentioned that maps utilized by the Azeri side are, first, drawn on a distorted scale, as Nagorno-Karabagh and adjacent territories, in comparison with the neighbouring regions, are drawn larger than they are in reality, and second, the line of the Karabagh-Azeri military contact is drawn more eastwards than the genuine borders of the confrontation: a fact to be easily observed if Azeri maps are compared with the military and other maps used by the OSCE Minsk Group on the Nagorno-Karabagh conflict. It must be noted that the area of the occupied territories is overstated.

It is known that in the course of military actions the Defence Army of the Nagorno-Karabagh Republic entirely seized five districts of Azerbaijan (Lachin, Kelbajar, Kubatly, Zangelan and Jebraïl). Parts (about 30 per cent) of the Agdam and Fizuly districts have also been occupied (map 2 and maps of the OSCE Minsk Group).

According to Azerbaijani data^d the area and population of the mentioned districts are:

<u>District</u>	<u>Territory</u> (square kilometres)	<u>Population</u> (thousand)
Kelbadjar	1 936	50.6
Lachin	1 835	59.9
Kubatly	802	30.3
Jebraïl	1 050	51.6
Zangelan	707	33.9
Agdam	1 094	158.0
Fizuly	1 386	100.0

/...

The total area of the first five districts is 6,330 square kilometres. The total area of the Agdam and Fizuly districts is 2,480 square kilometres, however the Defence Army of the Nagorno-Karabagh Republic controls 35 per cent of Agdam and 25 per cent of Fizuly districts, i.e., respectively 383 and 347 square kilometres. Hence, the figure of 8,780 square kilometres of area of occupied territories claimed by the Azeri side is a falsification as well.

The total area of the territory of the Azerbaijan controlled by the Nagorno-Karabagh Republic is not 8,780 square kilometres. It is instead 7,059 square kilometres, which is 8 per cent of the area of the former Azerbaijani Soviet Socialist Republic, i.e., it is 2.5 times smaller than 20 per cent, a figure constantly mentioned by the leaders and representatives of the Azerbaijani Republic, deliberately misleading the international community and world public opinion. It should also be mentioned that Azerbaijan occupies 15 per cent of the territories of the Nagorno-Karabagh Republic.

Refugees and displaced persons in Azerbaijan

A total of 168,000 Azeris left Armenia in 1988-1989.* Most of the 168,000 who left Armenia after 8 to 10 months of the Armenian pogroms in Sumgait and forced deportation of 350,000 Armenians from the Azerbaijani Soviet Socialist Republic were able to exchange or sell their houses built in rural areas. The rest received financial compensation (a total of 72 million roubles or about US\$ 100 million at the exchange rate of the time) from the Government of Armenia (Armenian refugees have received no compensation to this date).

Virtually the whole Azeri population, 40,600 people or 21.5 per cent of the population of the former Nagorno-Karabagh Autonomous Region (according to the 1989 Union of Soviet Socialist Republics census), left the former Nagorno-Karabagh Autonomous Region during the military actions. It should be mentioned that Azerbaijan deliberately overstates the number of the Azeri population of the former Nagorno-Karabagh Autonomous Region, speaking of "60,000 people" or about "a third of the population".

The Azeri population of the Shaumian district stayed further to live in their homes in all of the four Azeri villages situated along the border, in the northern and southern parts of the district (the line of Karabagh-Azeri front passed here in 1992-1993). So has the Azeri population, living on the territories adjacent to and in the very settlements of northern Nagorno-Karabagh, from where 83,000 Karabagh Armenians were deported in 1988-1991, did not suffer as well. Moreover, more than 100,000 Azeri refugees were housed in the abandoned homes and apartments of Armenians driven out of the northern part of Nagorno-Karabagh.⁴

According to Azerbaijani data cited above, the population of the seven districts that have been either entirely or partially occupied by the Defence Army of the Nagorno-Karabagh Republic was 483,000 in 1989. Taking into account that the Agdam and Fizuly districts are occupied partially, the total number of displaced persons who have left those districts constituted about 420,000, of which 45,000, according again to Azerbaijani data, returned to their homes in 1997. Thus, of the total number of the inhabitants of the seven districts, only 375,000 are refugees and displaced persons.⁹ These, in addition to the figures

/...

cited above of the number of refugees from Armenia (168,000, who however, because they have exchanged their houses or received compensation, may hardly be called refugees) and from Nagorno-Karabagh (40,000), comprise the total number of refugees and displaced persons in Azerbaijan.

Hence, as a result of the Nagorno-Karabagh conflict, there are 583,000 refugees and displaced persons in Azerbaijan, comprising 7.9 per cent of a population that has been officially declared. Claims about "a million refugees in Azerbaijan" are false and so is the claim about "20 per cent occupied territories of Azerbaijan".

It should be recalled that one third of the population of the Nagorno-Karabagh Republic are refugees and displaced persons. According to data from the Republic of Armenia, refugees comprise 12 per cent of the population of Armenia. Apart from them, 300,000 people remained without shelter after the 1988 earthquake, while a blockade has been imposed on Armenia by Azerbaijan and Turkey.

Main comparative data

Territory of the Nagorno-Karabagh
Republic occupied by Azerbaijan

15 per cent

Territories of the Azerbaijan
controlled by the Defence Army
of the Nagorno-Karabagh Republic

8 per cent

Refugees and displaced persons in
the Nagorno-Karabagh Republic
(as a percentage of the population)

33 per cent

Refugees and displaced persons
in Azerbaijan
(as a percentage of the population)

7.9 per cent

Notes

^a Information is based on the following sources:

- The 1989 Soviet Union census;
- The Department of the Statistics of the Regional Soviet of the Nagorno-Karabagh Autonomous Region;
- The Regional Executive Committee of the Shaumian district;
- The Committee on Refugees of the Nagorno-Karabagh Republic.

^b More than 350,000 Armenians left Azerbaijan and now live in Armenia.

^c Taking into account the territories that both Azerbaijan and Nagorno-Karabagh have occupied from each other.

/...

^d Sources:

- Data of the Ministry of Defence of the Azerbaijani Republic, disseminated by the Embassy of the Azerbaijani Republic in the Russian Federation in the autumn of 1994;
- 1989 census in the Union of Soviet Socialist Republics;
- Azerbaijani Soviet Socialist Republic, Administrative-Territorial Division, Azgosizdat, Baku, 1979;
- Mukhalifat (Azeri newspaper), 4 March 1996, etc.

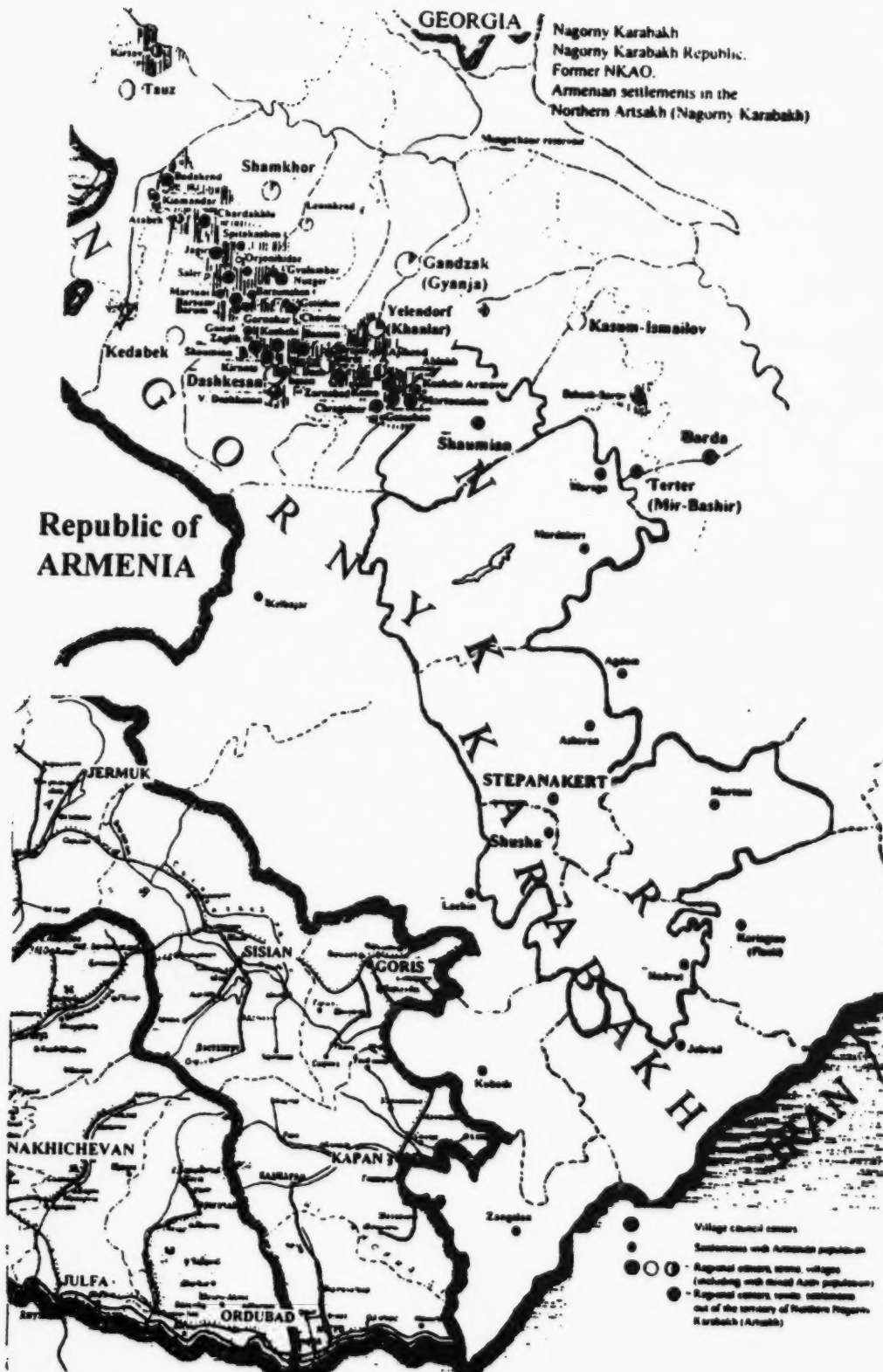
* This is the original figure of Azeris living in Armenia in the beginning of 1988 although Baku arbitrarily speaks of some 200,000 or 250,000 Azeris.

^f According to the 1989 Union of Soviet Socialist Republics census, the average Azeri family in the Azerbaijani Soviet Socialist Republic consisted of 5.6 persons and the average Armenian family in the Azerbaijani Soviet Socialist Republic of 3.85 persons. Apart from that, as a result of 70 years of discriminatory policies against the Armenians in the Azerbaijani Soviet Socialist Republic and driving them out of the republic, there were many empty Armenian houses in Azerbaijan. The owners of these houses had left for Armenia, Russia and other republics of the Union of Soviet Socialist Republics earlier.

^g Of these 40,000 have left for the Russian Federation. According to the Ministry of Internal Affairs of the Russian Federation, 1.5 million Azeris, citizens of Azerbaijan, live in the Russian Federation currently.

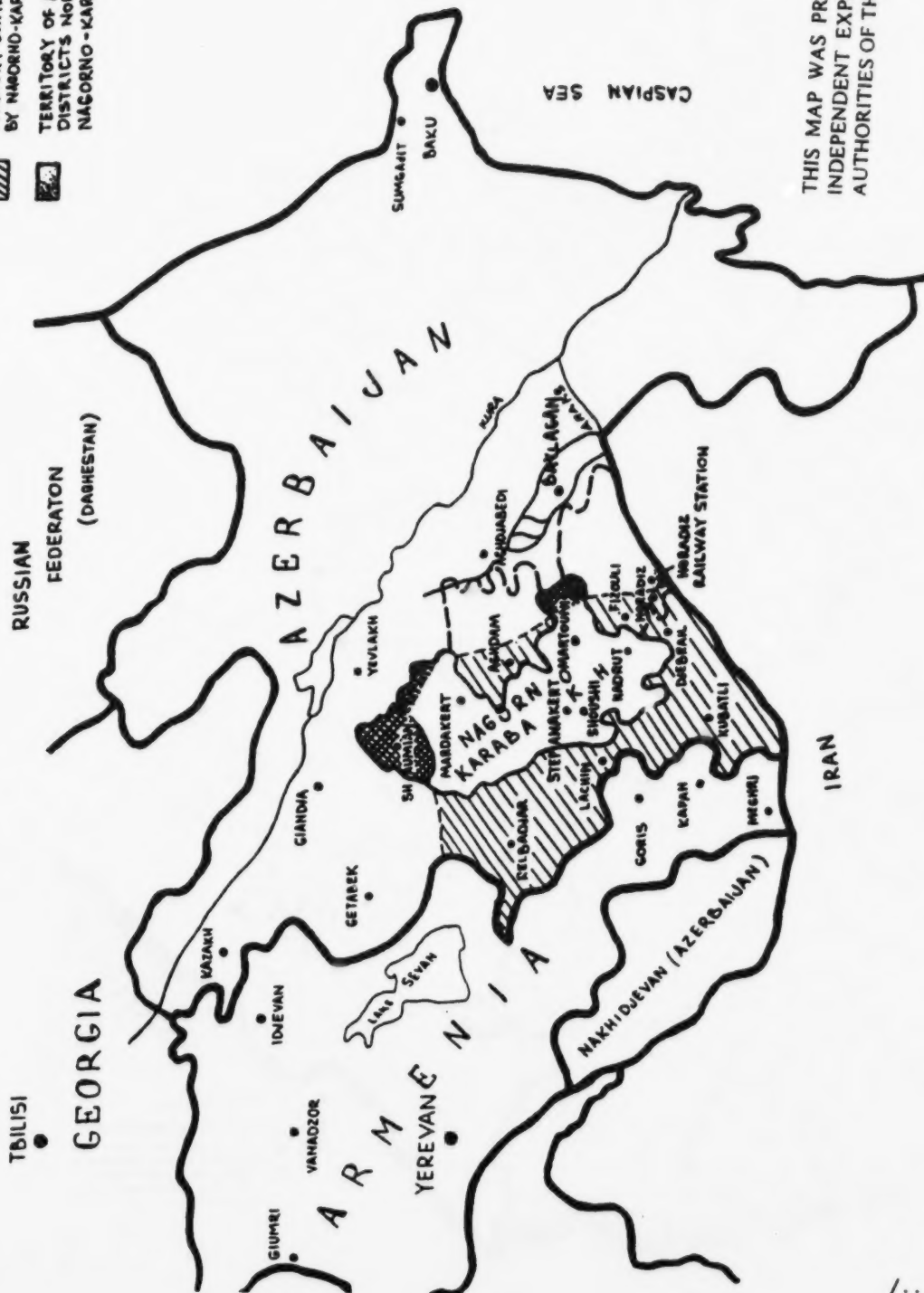
GEORGIA

Nagorny Karabakh
Nagorny Karabakh Republic.
Former NKAO.
Armenian settlements in the
Northern Artsakh (Nagorny Karabakh)



Map 2

NAGORNO-KARABAKH
OCCUPIED AREAS OF
NAGORNO-KARABAKH
TERRITORY CONTROLLED
BY NAGORNO-KARABAKH
TERRITORY OF AGHDAM & FIZOULI
DISTRICTS NOT CONTROLLED BY
NAGORNO-KARABAKH



THIS MAP WAS PROVIDED TO THE
INDEPENDENT EXPERTS BY THE
AUTHORITIES OF THE RA AND THE NK

Map 3

This map was provided to the Independent Expert by the authorities of Azerbaijan. The delineated areas shown do not imply official endorsement or acceptance.

